

E-filing

AO 440 (Rev. 03/08) Civil Summons

**UNITED STATES DISTRICT COURT**  
 for the  
**Northern District of California**

**MMC**

CENTER FOR BIOLOGICAL DIVERSITY,  
 Plaintiff

MICHAEL CHERTOFF, in his official capacity as  
Secretary of the U.S. Department of Homeland  
Security, REAR ADMIRAL CRAIG E. BONE, in his  
official capacity as Commander of U.S. Coast Guard  
District Eleven, and UNITED STATES COAST GUARD,  
Defendant

) **CV 08**

Civil Action No.

**2999**

**Summons in a Civil Action**

To: MICHAEL CHERTOFF, Secretary of the U.S. Department of Homeland Security, REAR ADMIRAL CRAIG E. BONE, Commander, U.S. Coast Guard District Eleven, and UNITED STATES COAST GUARD  
 (Defendant's name)

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Deborah A. Sivas  
 Leah J. Russin  
 ENVIRONMENTAL LAW CLINIC  
 Mills Legal Clinic at Stanford Law School  
 Crown Quadrangle  
 559 Nathan Abbott Way  
 Stanford, California 94305-8610

Andrea A. Treece  
 CENTER FOR BIOLOGICAL DIVERSITY  
 351 California Street, Suite 600  
 San Francisco, California 94104-2404

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUN 18 2008

Date: \_\_\_\_\_

Richard W. Wicking

Name of clerk of court

Helen L. Almacen

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

**Proof of Service**

I declare under penalty of perjury that I served the summons and complaint in this case on 06/18/2008, by:

(1) personally delivering a copy of each to the individual at this place, see attached cert. of service; or

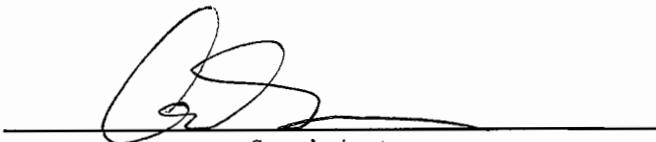
(2) leaving a copy of each at the individual's dwelling or usual place of abode with \_\_\_\_\_ who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is \_\_\_\_\_; or

(4) returning the summons unexecuted to the court clerk on \_\_\_\_\_.

My fees are \$ 0.00 for travel and \$ 0.00 for services, for a total of \$ 0.00.

Date: 07/02/2008



Server's signature

Andrea A. Treece, Staff Attorney

Printed name and title

Center for Biological Diversity  
351 California Street, Suite 600  
San Francisco, CA 94104

\_\_\_\_\_  
Server's address

1 Deborah A. Sivas (Calif. Bar No. 135446)  
2 Leah J. Russin (Calif. Bar No. 225336)  
3 Carolyn Bills (Certified Law Student)  
4 Edmund J. Gorman, Jr. (Certified Law Student)  
ENVIRONMENTAL LAW CLINIC  
Mills Legal Clinic at Stanford Law School  
Crown Quadrangle  
559 Nathan Abbott Way  
Stanford, California 94305  
Telephone: (650) 723-0325  
Facsimile: (650) 723-4426  
dsivas@stanford.edu  
leahrussin@law.stanford.edu

9 Andrea A. Treece (Calif. Bar No. 237639)  
10 CENTER FOR BIOLOGICAL DIVERSITY  
351 California Street, Suite 600  
11 San Francisco, California, 94104  
Telephone: (415) 436-9682  
Facsimile: (415) 436-9683  
atreece@biologicaldiversity.org

14 Attorneys for Plaintiff Center for Biological Diversity

15 UNITED STATES DISTRICT COURT  
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 CENTER FOR BIOLOGICAL DIVERSITY, )  
19 Plaintiff, ) Case No. 08-cv-2999 MMC  
20 v. )  
21 MICHAEL CHERTOFF, in his official capacity as )  
Secretary of the U.S. Department of Homeland )  
22 Security, REAR ADMIRAL CRAIG E. BONE, in his )  
official capacity as Commander of U.S. Coast Guard )  
23 District Eleven, and UNITED STATES COAST )  
GUARD, )  
25 Defendants. )  
26 )  
27 )  
28 \_\_\_\_\_

**CERTIFICATE OF SERVICE**

1 I hereby certify that, on June 18, 2008, I caused the following documents:

2 1. COMPLAINT  
3 2. SUMMONS  
4 3. CERTIFICATE REQUIRED BY L.R. 3-16  
5 4. ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR

6 DEADLINES

7 5. ORDER REQUIRING JOINT CASE MANAGEMENT STATEMENT  
8 6. STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF  
9 CALIFORNIA

10 7. NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE

11 8. ELECTRONIC CASE FILING REGISTRATION INFORMATION

12 9. U.S. DISTRICT COURT, SAN FRANCISCO FILING GUIDELINES

13 to be served pursuant to Federal Rule of Civil Procedure 4 by mailing a true copy of each  
14 document enclosed in a sealed envelope and sent via United States certified mail with return  
15 receipt requested on the following:

16  
17 Michael Chertoff  
18 Secretary of Homeland Security  
19 Department of Homeland Security  
20 245 Murray Lane, SW  
Washington, DC 20528

Michael B Mukasey  
U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

21 Admiral Thad W. Allen  
22 Commandant, U.S. Coast Guard  
23 2100 Second Street, SW  
Washington, DC 20593

Scott N. Schools  
United States Attorney  
450 Golden Gate Avenue  
Box 36055  
San Francisco, CA 94102.

24 Rear Admiral Craig E. Bone  
25 Commander, District Eleven  
U.S. Coast Guard  
26 Building 42, Coast Guard Island  
Alameda, CA 94501

27  
28 Attached to this Certificate is a copy of the summons (Ex. A).

1 I certify under penalty of perjury that the foregoing is true and correct.  
2 Executed on July 2, 2008.

3 /s/ Andrea A. Treece  
4 Andrea A. Treece  
5 Attorney for Plaintiffs  
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